

# PCT

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

(Rationalised Report according to the Notice of the President of the EPO published in the OJ 11/2001)

REC'D 26 MAY 2004

WIPO PCT

Applicant's or agent's file reference <b>7810.116-304</b>	<b>FOR FURTHER ACTION</b> See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. <b>PCT/US03/01063</b>	International filing date (day/month/year) <b>29/01/2003</b>	Priority date (day/month/year) <b>16/04/2002</b>
International Patent Classification (IPC) or national classification and IPC <b>G09C1/42</b>		
Applicant <b>IMERYS PIGMENTS, INC. et al.</b>		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.



2. This REPORT consists of a total of 3 sheets, including this cover sheet.

☐ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consists of a total of \_\_\_\_\_ sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☒ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☐ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand <b>04/11/2003</b>	Date of completion of this report <b>19.05.04</b>
Name and mailing address of the IPEA/  European Patent Office D-80298 Munich Tel. (+49-89) 2399-0, Tx: 523656 epmu d Fax: (+49-89) 2399-4465	Authorized officer <b>Bernard Louis Petit</b> 

## I. Basis of the report

1. This report has been drawn up on the basis of (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to the report since they do not contain amendments.*)

☒ the international application as originally filed

☐ the description, pages

pages

pages

, as originally filed

, filed with the demand

, filed with the letter of

☐ the claims, Nos.

Nos.

Nos.

Nos.

, as originally filed

, as amended under Article 19

, filed with the demand

, filed with the letter of

☐ the drawings, sheets / fig.

sheets / fig.

sheets / fig.

, as originally filed

, filed with the demand

, filed with the letter of

2. The amendments have resulted in the cancellation of:

☐ the description, pages:

☐ the claims, Nos.

☐ the drawings, sheets / fig.

3. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2 (c)).

4. Additional observations, if necessary:

## III. Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

The questions whether the claimed invention appears to be novel, to involve an inventive step (to be non-obvious), or to be industrially applicable have not been examined in respect of:

- ☒ the entire international application,  
☐ claims Nos.

because:

- ☒ the said international application, or the claims  
relate to the following subject matter which does not require an international  
preliminary examination  
(specify):

Nos. 28-36

Claims 28-36 are defined by using parameters which were ~~deemed~~ <sup>deemed</sup> unclear by the ~~Search~~ <sup>Search</sup> Authority and which were not ~~generated~~ <sup>generated</sup> by said Authority.

- ☒ the description, claims or drawings (indicate particular elements below) or  
said claims are so unclear that no meaningful opinion could be formed  
(specify):  
(as above)

Nos. 28-36

- ☐ the claims, or said claims are so inadequately supported by the description  
no meaningful opinion could be formed.

Nos.

- ☒ no international search report has been established for claims

Nos. 1-27 and 37-39